

REMARKS

The above-referenced application has been reviewed in light of the Examiner's Office Action dated January 13, 2005. Claim 27 has been amended to correct a minor typographical error. Therefore, Claims 20-39 are currently pending in this application. The Examiner's reconsideration of the rejections is respectfully requested in view of the following remarks.

In accordance with the Office Action, Claims 20, 27 and 34 stand rejected under 35 USC § 103(a) as being unpatentable over Non-Patent Document: "Supporting Ranked Boolean Similarity Queries in MARS", IEEE Trans. on Knowledge and Data Engineering, 10, Nov-Dec. 1998, Authors: Ortega et al.; in view of Non-Patent Document: "MediaNet: A Multimedia Information Network for Knowledge Representation", In Conference on Internet Multimedia Management Systems, Vol. 4210, pages 1-12, Boston, MA, Nov. 2000, 1 ST/SPIE.00, Authors: Benitez, John R. Smith, and Chang.

As indicated by the Examiner, the Ortega et al. publication fails to teach or suggest "transferring the low-level query to one or more search engines" as recited in pending Claims 20 and 27, and similarly in pending Claim 34. The Examiner relies on the Benitez et al. publication (hereinafter, MediaNet) to cure the deficiencies of Ortega et al. Applicants respectfully traverse, as the MediaNet publication by Benitez et al. is unavailable as a reference.

It shall be recognized that John R. Smith is a co-inventor of the currently pending claims as well as an author of the MediaNet publication. In addition, it shall be


recognized that the MediaNet publication was published less than one year prior to the filing date of the present application. It shall also be recognized that John R. Smith and Ana B. Benitez were both employed by the assignee of the present application at the time of the MediaNet publication.

Thus, the MediaNet or Benitez et al. publication is unavailable as a reference for the purposes of 35 USC § 103(a). Therefore, the recitations of Applicants' currently pending Claims 20, 27 and 34 are neither taught nor suggested by Ortega et al., whether taken alone or in combination with any of the other properly available references of record in this case.

Conclusion

Accordingly, it is respectfully submitted that independent Claims 20, 27 and 34 are in condition for allowance for at least the reasons stated above. Since Claims 21-26, 28-33 and 35-39 each depend from one of the above claims and necessarily include each of the elements and limitations thereof, it is respectfully submitted that these claims are also in condition for allowance for at least the reasons stated, and for reciting additional patentable subject matter. Thus, each of Claims 20-39 is in condition for allowance. All issues raised by the Examiner having been addressed, reconsideration of the rejections and an early and favorable allowance of this case is earnestly solicited.

Respectfully submitted,

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